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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,963	06/28/2000	Michael Griffiths	BS99-155	6372

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EXAMINER

ESCALANTE, OVIDIO

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/604,963

Applicant(s)

GRIFFITHS, MICHAEL

Examiner

Ovidio Escalante

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement submitted on April 6, 2001 was received. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by McAllister et al. US Patent 5,978,450.

Regarding claim 1, McAllister teaches a system for providing away-from-home calling service (Personal Dial Tone Service; abstract) in which a subscriber makes a telephone call from a subscriber telephone (col. 6, lines 32-49) comprising:

a switch (SSP) coupled to the subscriber telephone (1_A or 1_B) on which a trigger is provisioned to intercept telephone calls intending to use the calling service, (col. 15, line 58-col. 16, line 5; col. 20, lines 8-19);

a service control point (19) coupled to the switch (SSP) provisioned to receive an authentication request from the switch, (col. 16, lines 6-30; col. 17, lines 8-24);

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a line database (IP 23) storing authentication and verification information (col. 17, lines 40-56) and services information regarding home telephone services provisioned on the subscriber's home telephone line, (col. 17, lines 8-24; fig. 5) wherein the line database provides the information regarding the home telephone services to the switch in response to a query from the service control point, (col. 18, lines 7-32; col. 21, lines 31-43; figs. 5-S46).

Regarding claim 2, McAllister teaches wherein the telephone subscriber is prompted to enter call completion information after being authenticated, (figs. 4 and 5-steps S17,S18; col. 21, lines 44-55).

Regarding claim 3, McAllister teaches wherein the switch performs the prompting, (col. 21, lines 44-55).

Regarding claim 4, McAllister teaches a service control node, which performs the prompting, (col. 21, lines 44-55).

Regarding claim 5, McAllister teaches wherein the call completion information comprises a called party telephone number, (col. 21, lines 44-53).

Regarding claim 6, McAllister teaches a method for providing an away from home calling service, (abstract; col. 6, lines 32-49), comprising the steps of:

- (a) dialing an access number to access the away from home calling service, (col. 20, lines 20-24);
- (b) prompting a caller for authentication information, (col. 20, lines 43-49);
- (c) authenticating the caller, (col. 21, lines 8-16);
- (d) obtaining home service information regarding the caller's home telephone line, (col. 21, lines 8-43);

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(e) prompting the caller for call completion information, (col. 21, lines 44-55); and
(f) completing the telephone call in accordance with the caller's home service information, (col. 21, lines 44-55; figs. 4-5).

Regarding claim 7, McAllister teaches prompting the caller for call completion information, (col. 21, lines 44-55).

Regarding claim 8, McAllister teaches obtaining a PIN from the caller, (col. 24, lines 31-37).

Regarding claim 9, McAllister teaches responding to a trigger encountered when the caller dials the access number, (col. 20, lines 25-32).

Regarding claim 10, McAllister teaches performing a database search to obtain the home service information, (col. 20, lines 39-57; col. 21, lines 18-31).

Regarding claim 11, McAllister teaches a switch (SSP) for allowing a telephone subscriber to make a telephone call from a remote telephone using services provisioned on the telephone subscriber's home telephone (abstract; col. 6, lines 32-49; col. 20, lines 1-19) comprising:

means for receiving a telephone call from a caller, (col. 20, lines 20-24);

a trigger provisioned to respond to the received telephone call by sending a message to an service control point, (col. 15, line 58-col. 16, line 5);

means for prompting the caller to enter authentication and validation information, (col. 20, lines 43-49);

means for sending the authentication and validation information to the service control point, (col. 20, lines 43-49);

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means for receiving a message containing the home services provisioned on the caller's home telephone line, (col. 21, lines 8-43);

means for prompting the caller for call completion information, (col. 21, lines 44-55); and

means for completing the call in accordance with the call completion information and home services information, (figs. 4-5; col. 21, lines 44-55).

Regarding claim 12, McAllister teaches wherein the trigger is a termination attempt trigger, (col. 20, lines 39-57).

Regarding claim 13, McAllister teaches wherein the trigger is a public office dialing plan trigger, (col. 21, lines 44-53).

Regarding claim 14, McAllister teaches wherein the authentication and validation information comprises a PIN, (col. 24, lines 31-37).

Regarding claim 15, McAllister teaches wherein the authentication and validation information comprises an account number, (col. 24, lines 31-37).

Regarding claim 16, McAllister teaches a system for allowing a caller to complete a telephone call made from a remote telephone using services available to the caller on his or her home telephone (1_B), (abstract; col. 20, lines 1-19), comprising:

a remote telephone (1_A) on which the caller makes the telephone call, (col. 20, lines 1-19); and

a switch (SSP) to receive the telephone call from the caller and in response thereto, obtain validation and authentication information from the caller, (col. 20, lines 43-49), to obtain home service information related to the caller's home telephone line, and to complete the telephone call in accordance with the home service information, (col. 21, lines 44-55; figs. 4-5).

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Regarding claim 17, McAllister teaches wherein the authentication and validation information comprises a PIN, (col. 24, lines 31-37).

Regarding claim 18, McAllister teaches wherein the authentication and validation information includes a subscriber away-from-home account number, (col. 24, lines 31-37).

Regarding claim 19, McAllister teaches wherein the telephone call is a long distance telephone call, and the home service information comprises a long distance carrier, (col. 20, lines 1-24).

Regarding claim 20, McAllister teaches a method for providing telephone services provisioned on a subscriber's home telephone line when the subscriber is away from home, (abstract; col. 6, lines 32-49), comprising the steps of:

(a) provisioning a trigger on a switch that is encountered when a subscriber attempts to use home telephone line services while away from home, (col. 15, line 58-col. 16, line 5; col. 20, lines 1-19);

(b) requesting authorization and validation information from the subscriber when the trigger is encountered, (col. 16, lines 6-30);

(c) transmitting the authorization and validation information to a service control point, (col. 17, lines 8-24);

(d) confirming the subscriber is a valid user on the basis of the authorization and validation information, (col. 17, lines 8-24); and

(e) returning telephone services provisioned on the subscriber's home telephone line to the switch if the subscriber is a valid user, (col. 18, lines 7-32; col. 21, lines 31-43).

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Regarding claim 21, McAllister teaches completing a telephone call using the telephone services provisioned on the subscriber's home telephone line returned to the switch, (col. 21, lines 44-55; figs. 4-5).

Regarding claim 22, McAllister teaches obtaining call completion information from the subscriber after the subscriber has been validated, (col. 21, lines 44-55).

Regarding claim 23, McAllister teaches obtaining a PIN from the subscriber as part of the authentication and validation information, (col. 24, lines 31-37).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bartholomew et al. US Patent 6,167,119 teaches of allowing a subscriber to use the services of their home telephone line at a remote telephone.

Duran US Patent 6,067,456 teaches of transmitting a users home telephone profile from a first location to a second location so that the user can use their home profile at the second location.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry)

Or:

(703) 872-9314, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262.

The examiner can normally be reached on Monday to Friday from 6:00 AM to 4:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group is (703) 872-9314.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ovidio Escalante
Examiner
Group 2645
August 8, 2003


SCOTT L. WEAVER
PRIMARY EXAMINER
Art Unit 2645